IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SIXTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 8595 of 2004

Between:

Surya Nath Tiwary s/o Sri Baij Nath Tiwary, 43 years
r/o Chini Mill Buxar, Behind R.P.F. Barrack, Post Gajadhar Gunj, Buxar, Bihar District.

..... PETITIONER

AND

1 Railway Recuritment Board Rep. by Asst, Secretary, South Lalaguda, Secunderabad.
2 Commanding Officer, Headquarters, No.2 Battalion, Railway Protection Special Force, Rajahi Camp, Gorkhpur (UP)
3 The Sr. D.M.P. (OPD) L.N.M. Railway Hospital, N.E.Railway, Gorakhpur.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate writ declaring that the action of the respondents declaring the petitioner as medically unfit in B-1 category vide letter dt.31-3-2004 bearing No. BN/ct/32/2004 as unjust, arbitrary illeigal, unconstitutional and violative of the fundamental rights under Articles 14 and 11 of the Constitution of India and consequently direct the respondents to consider the case of the petitioner for the appointment for the post of constable in Railway Protection Special Force (RSF), in pursuance to the notification dt.3-9 August 2002, in Employment News issued by respondent No.1, in the circumstances of the case and may pass any other or further orders.

For the Petitioner:MR.S.KULJEET SINGH, ADVOCATE

For the Respondents: MR.GOURI SHANKAR SANGHI, Standing Counsel for S.C.Railway

The Court made the following order:

The learned counsel for the petitioner seeks to withdraw the writ petition. Permission is accorded. The writ petition is, therefore, dismissed as withdrawn. No costs.

06.08.2004

tjs

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.The assistant secretary, railway recruitment Board, South Lalaguda, Secunderabad.

2. Commanding Officer, Headquarters, No.2 Battalion, Railway Protection Special Force, Rajahi Camp, Gorkhpur (UP)

3. The Sr. D.M.P. (OPD) N.L.M.Railway Hospital,

N.E. Railway Hospital, N.E.Railway, Gorakhpur.

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